

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary K. Michelson

Serial No: 10/674,971

Filed: September 30, 2003

For: METHOD FOR INSERTING AN  
INTERBODY SPINAL FUSION  
IMPLANT HAVING AN  
ANATOMICALLY CONFORMED  
TRAILING END

Confirmation No.: 4939

Art Unit: 3738

Examiner: David H. Willse

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Notice of Appeal in reply to the Final Office Action of February 16, 2011 and the Advisory Action of June 1, 2011 in the above-identified application.

No additional fee is required.

Applicant hereby requests a one-month extension of time to respond to the above office action.

A Pre-appeal Brief Request for Review and Form PTO/SB/33 are enclosed.

The total amount of \$670.00 to cover the \$540.00 Notice of Appeal and \$130.00 one-month extension of time fees is to be charged to Deposit Account No. 50-3726.

The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726.

Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims

Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN &amp; FERRARO, LLP

By: 

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Date: June 16, 2011

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